

## **CHAPTER 2**

### **SAFETY AND HEALTH INSPECTIONS, EVALUATIONS, AND EMPLOYEE REPORTS OF UNSAFE OR UNHEALTHY WORKING CONDITIONS**

#### **2.1 PURPOSE OF INSPECTIONS**

Inspections lead to identification and elimination of unsafe or unhealthy conditions in the surroundings or work environment before accidents, injuries, or occupational illnesses occur. Safety inspections shall not be considered as Environmental Compliance Audits. Environmental Compliance Audits are conducted in accordance with the Environmental Protection Program (EPP).

#### **2.2 TYPES OF INSPECTIONS**

There are two types of safety and health inspections; regular and special. Regular inspections are those which are carried out in a routine scheduled manner and meet the intent of the APHIS Safety and Health Inspection Program. Special safety and health inspections originate as a result of a report of an unsafe or unhealthy condition.

#### **2.3 FREQUENCY OF INSPECTIONS**

In low hazard workplaces or where work activities are commonly understood, inspections will be conducted at least annually. More frequent inspections will be conducted in all high hazard workplaces where there is an increased risk of accident, injury, or illness due to the nature of the work performed (e.g., laboratories, pesticide and explosive storage areas, and maintenance shops).

#### **2.4 INSPECTORS**

Supervisors are responsible for requiring periodic safety and health inspections in their workplaces. They will also ensure that inspections are performed by competent personnel who have been adequately trained to recognize hazards. Low hazard workplaces will be inspected by persons knowledgeable with the work activity. High hazard workplace inspections must be conducted by qualified inspectors, acquainted with Occupational Safety and Health Administration (OSHA) standards, and must be approved by the Director. Employee representatives will be given the opportunity to accompany inspectors on all inspections.

#### **2.5 RECORDS OF INSPECTIONS**

APHIS Form 256, APHIS Safety Inspection Checklists or equivalent, will be used for documentation of inspections. Inspection documentation will be retained for 5 years. Copies of the checklists are available through the Beltsville Service Center (BSC), 6351 Ammendale Road, Beltsville, Maryland 20705. The phone number for BSC is 301-394-0400.

At the conclusion of an inspection, the inspector will advise the head of the work location and the employee representative of any unsafe or unhealthful working conditions identified. The APHIS Form 256 will be posted on bulletin boards or similar locations within 15 working

days after the inspection and will remain posted for a minimum of 30 days. When workplace deficiencies cannot be corrected within 15 work days, the Corrective Action section of the APHIS Form 256 will be. Target dates will be shown in the "Deficiencies" column. When deficiencies are corrected, the completion date will be shown in the "Accomplishment" column. The form will be retained for 5 years after completing the last deficiency.

- 2.5.1 Corrections The head of the work unit will ensure the prompt correction of unsafe and unhealthful working conditions. Hazards will be corrected by the deadline established in the Corrective Action section of the APHIS Form 256. When a hazard cannot be corrected due to the lack of authority and/or resources of the work unit head, assistance will be requested from the next organizational level. The local safety and health committee and the employee representative will be advised.

If the unresolved hazard is referred to the regional office or equivalent level, it is the responsibility of the regional office to ensure that appropriate steps are taken to correct the hazard; e.g., budget funds; contact appropriate GSA officials, building owners, or Federal, State, or county officials.

- 2.5.2 Annual Report Regional offices and equivalent levels will report the following information to the Safety, Health, and Employee Wellness Branch (SHEWB), 4700 River Road, Unit 124, Riverdale, Maryland, 20737, by February 1 each year:

- A. Number of workplaces within the region or equivalent (this includes any office space where APHIS employees are located).
- B. The number of inspections conducted.
- C. The reasons why any workplaces were not inspected.

All hazards will be abated promptly. Whenever a hazard cannot be abated promptly, the inspector and workplace supervisor will develop an abatement plan which includes a timetable for abatement and a summary of interim steps to protect employees. Employees exposed to the hazard will be informed of the provisions of the plan.

## 2.6 SAFETY AND HEALTH EVALUATION

- 2.6.1 Program Evaluations All organizational levels will conduct self-evaluations of their safety and health programs at least every 3 years or more frequently.

The self-evaluations are to include qualitative assessments of their safety and health management program areas (see Introduction).

Periodically, SHEWB will conduct evaluations of selected field locations.

- 2.6.2 Performance Evaluations Performance evaluations of management officials (where warranted by the work environment), and of all supervisors, will measure employee's performance in meeting requirements of the APHIS Safety and Health Program (see Introduction, for items to be included in the evaluation).

## 2.7 REPORTS OF UNSAFE OR UNHEALTHY WORKING CONDITIONS

An employee believing that an unsafe or unhealthy working condition exists in the workplace is encouraged and authorized to report the condition. Employees will not be subject to restraint, interference, coercion, discrimination, or reprisal for filing such reports.

The following procedures are to be used to file reports and request of unsafe or unhealthy workplaces. The employee may report the alleged condition to the next higher organizational level listed below only when the condition has not been completely resolved by previous action. Verbal or written notice will be given to the immediate supervisor. Any notices forwarded to other levels will be in written form.

### Responsible

#### Individual

#### Procedures

Immediate Supervisor

Takes corrective action if possible; requests assistance from other levels if necessary. Notifies employee of outcome of investigation within 30 days of receipt.

Supervisor at Next  
Organizational Level

Reviews supervisor's action; takes additional action if warranted. Notifies employee of outcome of investigation within 30 days of receipt.

Regional Director  
or equivalent

Reviews all previous action; sends copy of report to Chairperson of Regional Safety and Health Council and CDSHO. Ensures additional action taken if warranted. Notifies employee of outcome of investigation within 30 days of receipt.

Deputy Administrator

Reviews all previous action; sends copy of report to Designated Agency Safety and Health Official. Ensures additional action taken if warranted. Notifies employee of outcome of investigation within 30 days of receipt.

Administrator

Reviews all previous action; sends copy of report to Chairperson of National APHIS Safety and Health Council. Ensures additional action taken if warranted. Notifies employee of final disposition within 30 days of receipt.

Reports by the employee or a representative of the employee will include grounds for the report and will contain the name of the employee or representative of the employee. If requested by the individual making such a report, no person will disclose the name of the

individual making the report or the names of the individual employees referred to in the report.

SHEWB is always available to assist at any level of the investigation.

2.7.1 Inspections In the case of imminently dangerous situations, employees will make reports by the most expeditious means available. Agency inspections will be conducted within 24 hours for employee reports of imminently dangerous conditions (conditions which can be reasonably expected to result in loss of life or serious injury if not addressed immediately), within 3 days of potentially serious conditions (where conditions are such that a substantial probability of death or serious injury exists), and within 20 working days for all other safety and health conditions. Employees will be informed, within the above timeframes, when investigations begin. The Agency's inspection or investigation report will be made available to the employee upon its completion.

Local management shall not permit employees who are not necessary to abate the conditions, to enter areas where an imminent danger, or potentially serious condition exists. Employees may reenter the area following inspection, and abatement of the condition.

2.7.2 Notification and Recordkeeping Requirements Each written report by an employee, of an existing or potentially unsafe or unhealthy working condition, will be recorded on a log maintained at the reporting office of the organizational level in which the condition exists. An employee submitting a report of unsafe or unhealthy conditions will be notified in writing within 20 working days, if the official receiving the report determines:

- A. There are insufficient grounds to confirm that a hazard exists, and
- B. There are no plans to schedule an investigation based upon the employee's report.